DEMOCRACY DIALOGUE

From USAID's Center for Democracy and Governance ◆ Summer 1997

USAID Explores DG Opportunities in the Congo

by Melissa Brown

In June 1997, a USAID team travelled to the Democratic Republic of the Congo (the Congo), formerly known as Zaire. The team observed the progress of the Congo's transition following the takeover of most of the country by Laurent Kabila's Alliance of Democratic Forces for the Liberation of the Congo (ADFL) and assessed whether and how USAID could play a role in promoting peace, stability, and progress toward democratization, the rule of law, and economic and social recovery. The team visited Kinshasa and six provinces.

Team member Melissa Brown provided this preliminary analysis of the transitional environment and the team's recommendations for USAID democracy and governance (DG) programming.

Overview of the DG Analysis

The Congo has just experienced a transition of historic proportions. This transition marks the departure of President Mobutu Sese Seko, whose authoritarian exploits over the course of a 30-year dictatorship included co-opting and isolating his political opposition and using state resources as fodder for his personal patronage machine. In the shadow of this predatory central authority, citizens learned to provide their own basic services, usually through small industrious civil society organizations.

Despite a range of efforts by political parties and civil society organizations to facilitate a transition process through existing institutions, it was ultimately the relatively unknown ADFL, assisted by the Congo's frustrated neighbors, that succeeded in unseating Mobutu. No one anticipated this type of transformation; its speed and efficiency left the country in shock. Nevertheless, it is clear that the average Congolese is relieved to find the decades-old yoke of corruption and harassment apparently being lifted.

However, the ADFL's base of legitimacy remains quite narrow due to the unexpected nature of the transition, the ban on opposition political party activities, and the high level of support for the ADFL by neighboring countries. In addition, Kabila is perceived as representing a minority ethnic group in the Congo. Actions taken by the transitional government to expand its base will be critical to its long-term success. To succeed in pursuing a democratic transition, it will have to reach out to a broader range of civil society and political actors. Yet the Kabila government's serious governance vacuum will hinder its capacity to deliver quickly in response to public expectations.

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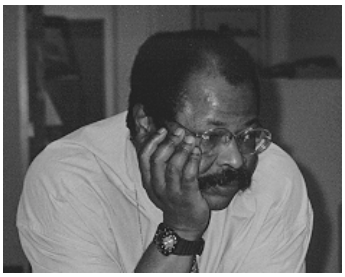
Reflections on "Governance"

an interview with Patrick Fn'Piere



Patrick Fn'Piere has served as the senior technical advisor for governance for the Center for Democracy and Governance since 1993. In September 1997, he will join the U.S. Peace Corps as regional director for Latin America and the Pacific.

This is the first in a series of interviews with the senior technical advisors overseeing the four DG sub-sectors covered by the Center.

DD: What is "good governance" and how has the term evolved?

Fn'Piere: Let's begin with the term governance. In the political science/public administration vernacular, *governance* can be viewed as simply the management of public affairs. *Good governance*, as it is being employed today, is an embellishment of that definition. It's still concerned with basic administrative functions but puts a premium on accountability, transparency, effectiveness, and participation. At USAID we've gone a step further. We're interested in democratic governance—in other words, the political dimension of the public management process and how it can advance democracy. That is our focus. *Democratic governance* is a system

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INSIDE THIS ISSUE

Democratic Transition Through Popular Participation

Writing a Constitution in Eritrea

by Dr. Bereket Habte Selassie

The 30-year war with Ethiopia ended with an Eritrean military victory in May 1991. Two years later, Eritreans voted for independence. The new government of the Eritrean People's Liberation Front (EPLF) embarked on a transition that culminated in the adoption of a new national constitution by the Constituent Assembly on May 21, 1997.

How Eritrea got from post-war elation to its latest democratic breakthrough is an impressive story.

The story began in 1994, when a Constitutional Commission was appointed to draft a constitution based on wide-ranging public debates and expert consultations. Twenty-one of our 50 members were women; Eritrea's ethnic groups were also represented.

Rather than simply adopting a foreign constitutional model, we decided to appraise the country's realities and principal needs prior to drafting Eritrea's Constitution.

Transition to constitutional democracy is a complex process, and its success depends on at least three factors: First, government must be committed to the ideal of democratic constitutional order. Second, the public must be actively involved in the process. Third, the entity in charge of the process (the commission in our case) must enjoy complete autonomy to ensure the integrity of the process. In Eritrea, we were fortunate to have all three factors working in our favor. Additionally, we benefited from USAID support for our constitutional development process.

We divided our mandate into four phases. In the first phase, we held introductory seminars and public discussions throughout the country. In January 1995, we also organized a successful international symposium, drawing on the expertise of other countries with constitutional development experience (including Ethiopia, Uganda, South Africa, Namibia, and Ghana).

During phase two, in the summer of 1995, we prepared a set of proposals containing major constitutional issues and distributed them through a massive civic education campaign. The proposals were culled from the commission's initial thoughts, internal discussions, and preliminary consultations, as well as ideas generated by the Eritrean public. Between September and December 1995, we held extensive public debates on the proposals.

People eagerly attended the public meetings. In Eritrea, we have a deep-rooted tradition of people running their own affairs through traditional, village-based, direct democracy. Each village has an elder who calls meetings to decide important issues. Leaders are elected by lot. During the military struggle, women came to the forefront. We attempted to build on these participatory traditions and experiences by organizing village-based public meetings to discuss the constitutional proposals.

Throughout phases one and two, civic education was a critical component of our work. This effort involved acquainting the public with the ideas of constitutional rule and electing accountable officials. With a 20 percent literacy rate in Eritrea, we relied primarily on non-written civic education media such as radio and dramatizations through plays, dance troupes, and poetry competitions to convey these messages.

The civic education campaign eventually reached over 557,000 people: an amazing feat in a nation of three million citizens.

During phase three, we analyzed data from the debates and wrote the first draft constitution, submitted to the transitional parliament in July 1996. The final draft (phase four) was ready in Spring 1997 and subsequently ratified. Now the transitional parliament must pass a law indicating when the new constitution will go into effect. Meanwhile, a parliamentary committee was formed to draft an elections law and nominate members of Eritrea's new electoral commission. A permanent parliament will be elected on the basis of the new constitution.

The Eritrean Constitution itself is one of the shortest in the world, yet it embraces all of the central principles of a modern constitution: judicial independence, popular sovereignty, and the rule of law. Comprising 59 articles, it rests on five pillars of paramount value: stability and national unity, democracy, sustainable development, human rights, and social justice.

Strong state institutions and vibrant civil society are now needed to give the constitution life and force. The constitution is only a framework for building effective democracy in Eritrea—but it's an excellent one! □

Dr. Bereket served as chairman of Eritrea's Constitutional Commission from 1994 to 1997. He is currently William Leuchtenburg Professor of African Studies at the University of North Carolina at Chapel Hill. A longer treatment of this subject will appear in the January 1998 issue of Journal of Democracy.

DEMOCRACY DIALOGUE

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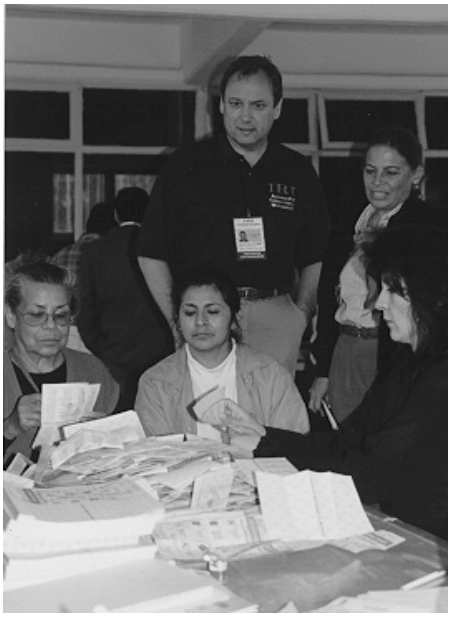
USAID Supports Election Observers in Mexico

by John Murphy

Photo: IRI



IRI delegation head Bill Jones watches the vote count at a Mexico City polling station.

On July 6, for the first time in 68 years, Mexican voters denied the governing Institutional Revolutionary Party (PRI) an absolute majority in the federal Chamber of Deputies. In balloting for 32 members of the 128-seat Senate and local officials in seven states, voters also swung toward the opposition Party of the Democratic Revolution (PRD) and National Action Party (PAN). The PRD's Cuauhtémoc Cárdenas was elected mayor of Mexico City, and PAN candidates prevailed in two important gubernatorial races.

Politicians and pundits cited two key factors contributing to the erosion of the PRI's electoral prospects. First, the sharp recession brought about by the December 1994 devaluation of the peso cut living standards and undermined the government's popularity. Second, reforms carried out in 1996 significantly leveled the electoral playing field, providing opposition parties with far more money and media access than they had ever had before.

In this climate of dramatic change, the vigilance of domestic and international observers played a critical role in boosting voter confidence. With support through USAID's Consortium for Elections and Political Process Strengthening (CEPPS) agreement, the International Republican Institute (IRI) organized a 37-member observer delegation—the largest international group monitoring the Mexican elections. The delegation deployed to 16 states, including all seven states where local elections were held. The delegates focused on rural areas and areas with a history of electoral fraud.

The IRI delegation coordinated with selected observers organized by the National Women's Civic Association (ANCIFEM), a Mexican civic group. ANCIFEM deployed nearly 1,500 Mexican observers nationwide, a dozen of whom teamed up with IRI's delegates. This cooperation allowed IRI to leverage its resources while tapping the experience of local civic leaders.

In a statement issued the morning after the election, the leader of the IRI delegation, California Secretary of State Bill Jones, noted, "Voting in most parts of the country was orderly, and turnout was high for a mid-term election." He added, "There is increasing evidence that Mexico's political system is moving toward greater pluralism. While much attention has focused on the mayoral race in Mexico City, the fact that no single party will dominate the Chamber of Deputies may have more significant implications for the consolidation of democracy in Mexico. This development heralds a new era in which the three largest political parties will have to negotiate with one another."

IRI's delegates found that Mexico's electoral institutions have made real progress toward winning the confidence of the voters. The 1996 reforms gave the Federal Electoral Institute an unprecedented degree of independence, and political party representatives, civic leaders, and the media have described the vote as "a triumph for democracy."

IRI is continuing to monitor the post-election conflict resolution process, which has been contentious in past elections. The Electoral Tribunal of the Federal Judiciary will examine results in many individual races. IRI will pay special attention to the rulings of the state electoral tribunals, which are the ultimate arbiters of state elections. In some states these tribunals are distrusted, and close gubernatorial races in Campeche, Colima, and San Luis Potosí suggest that some decisions may not be universally accepted. □

John Murphy is program officer for Latin America at IRI. A member of the IRI monitoring group, he was based in Mexico City during the July elections.

DG Websites

Focus: *Local Governance*

International Local Government Home Page
Links to local governments worldwide and other resources.
http://world.localgov.org/

Municipal World magazine
Resources and coming events.
http://municipalworld.com/

International City/County Management Association
Program and resource information.
http://www.icma.org/

International City Government Resource Centre
Links to municipal associations worldwide.
http://www.geocities.com/Paris/9925/

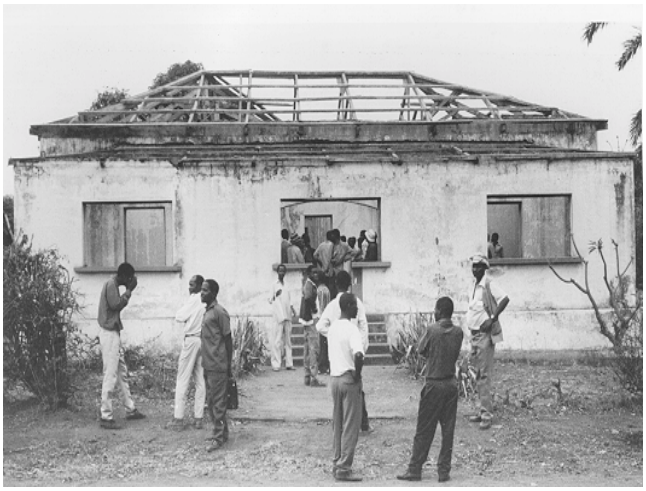
International Union of Local Authorities (IULA-The Hague)
http://www.cuapp.udel.edu/iula/

Local Empowerment in Mozambique

LEGA Activity Supports Community Organizations

by Thomas Johnson

Photo: MediaCoop



A building donated by the district administration for use by Zaone Morrumbala. The war-ravished condition of the structure is typical of rural Mozambique.

USAID/Mozambique is embarking on a new program to promote democratic local governance. The program, known as the "Local Empowerment in Governance Activity" (LEGA), is based on similar USAID efforts elsewhere and will support an indigenous movement led by civil society organizations (CSOs) in parts of rural Mozambique.

The LEGA activity will target the approximately two-thirds of Mozambique's citizens who are currently cut off from the national political context. Since 1993, Mozambique's post-civil war transition to democracy has included successful national presidential and legislative elections, an increasingly vibrant civil society, and greater media independence.

While these developments are positive, their relevance is questionable to the rural population with little or no understanding of what "democracy" means. Even where an understanding of democracy exists, there is a tenuous link between what goes on in the political power center of Maputo, the national capital, and isolated rural districts. For those living in rural areas, democracy is a meaningless term unless it can result, as directly as possible, in an improvement in their own lives.

Recognizing the need to develop local governance capacity, the Mozambican National Assembly recently passed legislation permitting the country's first local elections. Due to concerns over the conditions in many rural districts (the natural division for local governmental units) in terms of both limited infrastructure and human resources, the elections will be confined to 33 sites comprising cities and towns. It is estimated that only one-third of the country's population of approximately 18 million will be covered by the local electoral process.

The LEGA program will complement Mozambique's efforts to develop local governance by focusing efforts on five or six rural districts not covered by the initial round of local elections. LEGA's specific program objectives include:

- Motivating and empowering ordinary citizens to actively engage in problem solving and decision-making;
- Encouraging stakeholders who have not worked together to collaborate in activities which promote sustainable local development;
- Promoting local accountability and transparency in decision-making; and
- Mobilizing in-kind and external financial resources to be used for local development efforts.

Related objectives are to help heal the wounds of the civil war and to reduce the profound dependency felt by the average rural resident on the central government and, increasingly, donors and foreign private voluntary organizations (PVOs).

Lessons Learned From Haiti

LEGA's program design was inspired in large part by an April 1996 evaluation of the Haiti Communal Governance Program, funded by USAID's Office of Transition Initiatives (OTI) and implemented by the International Organization for Migration (IOM). Although the setting for the Haiti program—post-foreign troop arrival—was unique, several of the program's objectives, as well as the "lessons learned," struck a chord in Mozambique. In particular, the Haiti evaluation noted that: "[D]emocratization efforts staged in an impoverished setting such as Haiti are effectively pursued through concrete and adequately funded activities yielding tangible benefits."

The existence of effective local initiatives in rural Mozambique was the other important impetus for the LEGA activity. Such initiatives are exemplified by a highly successful USAID-supported seminar conducted by a rural CSO (Zaone Morrumbala) earlier this year. This seminar generated discussion among stakeholders about local problems affecting development in rural communities and how to coordinate among CSOs, international PVOs, traditional authorities, district governments, and political parties in solving those problems. In a country such as Mozambique where central government authority, influence, and resources in many rural areas are quite limited, the development of an open dialogue inclusive of all stakeholders is critical.

Program start-up is anticipated in late fall 1997. □

Thomas Johnson is the chief of USAID/Mozambique's Office of Democratic Initiatives.

Measuring the Impact of Civic Education

by Christopher Sabatini

Civic education has become an important part of USAID democracy programming. The assumption is that civic education plays a significant role in building the civic knowledge, attitudes, and behavior necessary to promote change. Yet we know little about the effects of civic education on individuals, either in the short- or long-term. Answering the question, "Does civic education affect individuals in a significant way?" is essential toward building an understanding of how better to target and implement civic education programs.

The Global Bureau's Center for Democracy and Governance (G/DG) is conducting a two-country study to answer this question by examining the impact of a variety of adult and in-school students' civic education projects in the Dominican Republic and Poland.

The G/DG study looks at a variety of civic education programs in both countries. Each program has used different means to accomplish its goals. Some have focused on educating people about their political and human rights; some on bringing citizens together with government officials to address common problems; and others on materials distribution and workshops. By looking at a wide array of programs and methods, the study also examines the relationships of methodology, content, and target groups to impact.

The project team developed two survey questionnaires for use in each country (one for students and one for adults) and a sampling methodology for in-country surveys. Each questionnaire measures: knowledge of rights and democracy, civic skills, support for the political system, political interest, values (e.g., tolerance, civic duty, respect for rights of women, and trust), efficacy/empowerment, and participation. Each questionnaire also contains questions concerning the methodology used in the civics courses and the degree of participation and openness in the courses. To measure the effects of civic education on target groups, the study surveys individuals that have participated in civics courses and a comparable group of individuals that have not.

While the team is still waiting for the complete results from surveys in the Dominican Republic and Poland, a preliminary analysis of the adult programs in the Dominican Republic has yielded some interesting and applicable results:

- The effects of civic education on political participation are stronger among the less educated.

- Political participation increases immediately after training, but tapers off after 12 months. This trend indicates that if the goal is to create sustained participation, it may be better to maintain activities over time, rather than to rely on broad, one-shot activities.

- Individuals who already belong to civil society organizations are more likely to participate politically following civic education. This finding suggests that the results of civic education are enhanced by the existence of channels for participation.

- The use of more participatory civic education methods has a positive impact on subsequent political participation. Methods such as role-playing, problem-solving, community projects, and debate were strongly associated with higher rates of participation.

- Individuals who are more interested in local politics are more likely to translate their interest into political action following civic education.

Civic education programs in Polish schools have also shown a significant impact in some areas:

- In schools where civic education reform has taken place, students have shown significantly higher levels of participation in extra-curricular activities.

MUJER: ESTE ES EL MOMENTO, PARTICIPA AHORA!

From a civic education pamphlet used in the Dominican Republic

- Civic education programs have also shown an impact on tolerance. Students who have participated in school democracy civics courses are more tolerant of opposing political opinions.

In the next two months, the team will conduct a series of focus groups with participants in both countries to deepen the survey results. The team will analyze the results of the focus groups and surveys for a preliminary report, anticipated in October 1997. This report will include an overview of the results and their implications for targeting and designing civic education programs. In addition, it will provide a methodology that missions and partners can use to measure the impact of civic education programs in the field. To verify its conclusions, the study will be expanded to several more countries. □

Dr. Christopher Sabatini has been an American Association for the Advancement of Science (AAAS) Fellow with the Center for Democracy and Governance since September 1995. In August 1997, he will begin work with the National Endowment for Democracy.

For additional information on the study, please contact Dr. Gary Hansen (ghansen@usaid.gov) or Dennis Wendel (dwendel@usaid.gov) in USAID's Center for Democracy and Governance.

Field Report from a Democracy Fellow

Assisting the Roma Population in the Czech Republic

by Mark Thieroff

In the wake of the dissolution of Czechoslovakia, thousands of members of the Roma (Gypsy) minority in the Czech lands were made stateless *de facto* or *de jure* by the restrictive provisions of the Czech Republic's new citizenship law. Despite their status as long-term or lifelong residents on Czech territory, those affected by the law were made aliens in their homeland overnight. One of the most serious elements of this precarious situation was that these former citizens had suddenly become eligible for expulsion if they committed any criminal or administrative violation.

As such practice clearly contravenes international standards on the protection of private and family life, the Prague-based Tolerance Foundation launched its Article 8 Project in the summer of 1996 in an attempt to address the situation. Named for the relevant family life provision of the European Convention on Human Rights, the Article 8 Project has sought to bring about change through activities in three areas: by exhaustively documenting current expulsion practices; by providing legal assistance to those affected; and by using gathered evidence to promote legislative reform.

Documentation

The first goal of the project was to shed light on this virtually unknown and previously undiscussed situation. Starting with nothing but a list of 663 court file numbers of cases involving Slovaks sentenced to expulsion, the project's staff members combed prisons and social workers' offices in search of information about the individuals involved. Once located, the sentenced persons were interviewed on the facts relating to their cases and on their personal and family background. To date, 240 cases have been documented, and the collected data has confirmed that the majority of those affected are Roma. The documentation phase of the project culminated in the publication of an extensive report on the expulsion of former citizens, which also included an analysis of relevant international standards and case law.

Legal Assistance

The main barrier to the provision of legal assistance has been that project staff have usually learned of a case only after the deadline for appeals and constitutional petitions has passed. This situation has necessitated pursuing extraordinary remedies which involve no deadlines, such as applying for presidential pardons, and requesting judicial review of the legality of expulsion sentences.

The highlight among the project's handful of victories to date was the case of a young man raised in Czech orphanages who had been sentenced to expulsion for the theft of five U.S. dollars' worth of sugar beets. After a breach-of-law complaint was brought by the Article 8 Project last year, the Supreme Court quashed the expulsion sentence and the conviction as well, ruling that the "theft" should have never been classified as a crime. Another case involving a client of the project will be heard by the Supreme Court this year.

Legislative Advocacy

The third aim of the project has been to encourage legislative reform to effectively curtail the abusive expulsion practice. Efforts in this area were given an unexpected "jump start" by the impact of the project's expulsion report. Issued in both Czech and English, the report generated considerable interest within the Czech legal community as well as among international organizations monitoring human rights practices in Europe. In April 1997, due to growing discussion of the expulsion problem, the government unexpectedly introduced a bill to substantially amend the current expulsion provisions in the penal code. Since that time, the project has been actively involved in monitoring this effort to ensure that any amendment enacted fully complies with international standards. Over the past six months, both the Council of Europe and the European Union have noted the continuing problems facing the "new foreigners," and their concern is expected to have an added positive effect. □

Mark Thieroff is a Democracy Fellow working on the Article 8 Project for the Tolerance Foundation. Mr. Thieroff is responsible for carrying out comparative research on international human rights law and foreign legislation and for coordinating the project's legislative advocacy efforts.

Democracy Fellows Program

Since 1996, the USAID Center for Democracy and Governance has provided funding to World Learning to implement the Democracy Fellows Program. To date, Democracy Fellows have been placed in a variety of locations including the U.S., Indonesia, Chile, Eritrea, and South Africa. Objectives of the program include:

- Providing field experience to individuals committed to careers in international democracy and governance; and

- Promoting the development of democratic institutions and practices in developing countries and transitional or emerging democracies.

Candidates must have recently earned a Master's Degree, J.D., or Ph.D. in an appropriate area of social science. For further information contact:

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The Congo

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The success of the Congo's transition is also contingent upon the new government improving the security environment (particularly as related to basic human rights and refugees), rebuilding a decimated but promising economy, and constructively addressing the serious ethnic divisions which plague the country.

In the short-term, in addition to addressing these issues, the government must quickly develop the basic capacity to govern. In the short- to medium-term, elections and constitutional development are critical benchmarks which could unify the country or tear it apart, if mishandled. Yet the role of civil society and political parties in this transition period has yet to be defined. Overall, how the Alliance government responds to these challenges will be central to its ability to break with the past and create a more democratic state which promotes long-term stability and economic recovery.

A Preview of USAID's DG Program

The team's assessment suggests that USAID's democracy strategy focus initially on supporting a dialogue, already begun, among civil society, government, and other political actors to reach a consensus on the future institutions and democratic process of this pivotal country, as well as on strengthening the justice sector. This could contribute to strengthening security and human rights, mitigating corruption, and building the economy.

Programs will be carried out at the national and regional levels and will focus initially on promoting political inclusiveness, establishing transition priorities, effectively monitoring the transition, and contributing to constitutional and electoral processes. At press time, an inter-Agency rapid deployment justice sector team was planning its visit to Kinshasa and other regions to identify opportunities to improve security and bring about the rule of law. The regional offices which the Office of Transition Initiatives of USAID's Bureau of Humanitarian Assistance is opening next month in three critical regions of the country (chosen because ethnic tensions are particurly explosive and/or for their economic potential) will serve to deepen the impact of national-level democracy programs, as well as to channel local-level input to Kinshasa. □

A copy of the final assessment report and information about USAID's strategy in the Congo is available from Katherine Nichols of the Center for Democracy and Governance (knichols@usaid.gov).

Governance

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imbued with certain basic principles such as human rights, rule of law, and universal suffrage. Our task within USAID is to pose, answer, and respond with workable programs to the question: How can formal political actors and institutions be engaged in or be catalysts in a democratic political reform process? For example, beyond electing a legislature, how can that legislature increase political space and achieve greater political legitimacy? While we're concerned about public administration and an institution's capacity to function, it's the political dimension that gives a system its democratic or non-democratic character.

DD: What is the greatest challenge in governance?

Fn'Piere: The challenge is to demonstrate the causal links between the technical support we provide and actual reform on the ground, especially within a short time frame.

DD: Give us an example of technical support that has worked in the governance sector.

Fn'Piere: Recent developments in Haiti suggest to some, maybe to many, that the glass is half-empty. But I think differently. At this very moment there is a huge debate regarding privatization in Haiti. That debate is taking place within the legislature as well as between the legislature and the president. Political parties have developed positions and platforms on the issue and this is being done in full view of Haiti's citizens, with participation from multiple sectors in civil society. This is new and exciting and very difficult. Our programs have helped and continue to play an important role in what we know will be a long process. But democratic processes are taking root. I am very proud of that. Now are the people in Haiti still without legislation on the matter? Yes. Yes, they are. But an answer will emerge, and I believe it will be one forged on consensus and will represent the collective will of the majority. If a nascent democracy can be sustained through this kind of difficulty, and citizens continue to respect the process, can you imagine what it will be like in good economic times?

DD: What are the links between governance and human rights?

Fn'Piere: Democracy is a system consciously designed to maximize individuals' ability to live freely and peacefully in society and to offer a modicum of self-enhancement. As development practitioners, we see a lot of human suffering. We know that much of that suffering is the result of failed political systems. During the 1970s and 1980s, economists argued: "If we get the rules right, get the macro-economic systems in place, prosperity will follow." In a few places it did, but in most it did not. Today we have a more sophisticated understanding of how to help countries develop in more sustainable ways, and that involves providing resources and technical assistance to reform political institutions. Human rights, both in political and in humanitarian terms, is what motivates us.

DD: How do you assess countries like Singapore or Indonesia which manage their economy well but put limits on civil liberties?

Fn'Piere: I think that with greater economic success, expectations in other areas will increase. A likely scenario, I think, is that those countries that have done so well economically will begin to experience more demand from their citizens. Their challenge will be how to accommodate those demands. □

USAID/Haiti Supports Legal Assistance Effort

by Alisa Ann Macht

In January 1996, USAID/Haiti initiated a process designed to make available free legal information and legal assistance to a segment of the Haitian population that, because of low socioeconomic status, has been historically denied access to justice.

Following Haiti's 1991 coup d'etat, legal services for poor Haitians were provided in an ad hoc manner, if at all. Since the implementation of the Legal Assistance and Information activity, systematic legal assistance for under-served segments of the population has now become regularly available.

The activity uses a three-pronged, community-based approach, supporting nine non-governmental organizations or NGOs (two of which exclusively handle cases of women and minors), three bar associations, and two law schools. Through a network created under the USAID activity, major segments of civil society work to help poor people access the justice system. This network also assists in improving the quality of lawyers, lawyer-trainees, and law students. The activity has focused its services in the outlying judicial districts, especially those where the USAID program has introduced model jurisdictions, including the installation of case tracking in prosecutors' offices, courts of first instance, and selected justice of the peace courts.

While the activity is still relatively new, several preliminary results show promise. For example, 18,812 clients have been reached since May 1997. This includes participants in legal information seminars (8,602), as well as individuals assisted in prison (9,088) and through civil legal assistance cases (1,122).

Of the prison population served, over 3,300 cases resulted in detainee releases, generating several residual benefits to the justice system. First, the activity has ameliorated Haiti's already serious prison overcrowding problem. Second, Haitian laws on illegal arrest and detention are being better enforced. Third, the activity brings Haitian lawyers and law students into contact with the poor, thus building bridges between socioeconomic classes—a critical step in this highly polarized society. Finally, the grantees report that their lawyers are having a positive impact on the performance of the local police and prison administration staff.

In addition to providing legal services, the activity also has achieved a significant impact on training for lawyers: The number of legal personnel trained nationwide represents approximately 25 percent of the country's pool of registered lawyers. The training focuses on substantive criminal and civil law and the sessions are attended by all levels of NGO legal staff, from third-year students to established members of the bar, judges, and police, as well as non-project legal professionals and students who attend at their own initiative simply to improve their knowledge. The creation and implementation of this training is undoubtedly one of the program's major achievements.

Another critical component of the activity is the dissemination of legal information to average citizens. Based on its legal assistance program and community, each NGO identifies critical local legal information needs such as illegal arrests, illegal detention, and land conflict issues. The program has been recognized for its effort to tailor legal information themes to meet local needs.

Recently, the Haitian Ministry of Justice, with support from USAID and the legal assistance grantees, held a seminar to examine opportunities for a nationwide public defenders service based on the USAID activity. Grantee participants agreed that they would have been much better prepared for their profession if this program had been available during their training. In the words of one participant, "[N]ot only do the lawyers and clients benefit from this program, but the [overall] practice of law [in Haiti] is improved." □

Alisa Ann Macht is a program specialist working on administration of justice issues for USAID/Haiti. *The editor would like to thank the other members of USAID/Haiti's Human Resources and Democracy office for their contributions to this article.*

DEMOCRACY DIALOGUE

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CENTER FOR DEMOCRACY AND GOVERNANCE

"... promoting the transition to and consolidation of democratic regimes throughout the world."